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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/522,359

03/09/2000

Wadood Hamad

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EXAMINER

FERGUSON, LAWRENCE D

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

01/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/522,359

Applicant(s)

HAMAD ET AL.

Examiner

Lawrence D. Ferguson

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 8, 18, 20-27, 29 and 31-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 18, 20-27, 29 and 31-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment mailed October 31, 2007.
Claims 1, 38 and 40-42 were amended and claims 43 was added rendering claims 1-3, 6, 8, 18, 20-27, 29 and 31-43 pending in this case.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections – 35 USC § 103(a)

3. Claims 1-3, 6, 8, 18, 20-27, 29 and 31-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al (U.S. 5,061,545) in view of Lindemann et al (U.S. 3,404,112).

Li discloses a composite comprising a fibrous web which is nonuniformly impregnated with a polymeric composition in a regular or random pattern (column 2, lines 6-20). The composite comprises 1 to 15% of the polymeric composition (column 2, lines 22-25). Concerning claims 1 and 25, although Li does not specifically disclose the polymer material is thin, Li discloses the amount of impregnated polymeric material can vary based upon the thickness of the fibrous web (column 9, lines 26-29). Because

Li discloses the web can be 0.002 inches thick (column 12, lines 20-22) it is reasonable to one of ordinary skill in the art to conclude that the impregnated polymeric material is thin, since the fibrous web is thin. Concerning claims 2, 6, 18, 20, 26, 29, 32, Li discloses the polymer material is thermoplastic and can include polyester or styrene butadiene (column 7, lines 12-34, 56-62). Patterned rolls are used to impregnate the composition, with geometrical formations such as rectangular stripes, equidistant circles and diamond-shaped formations (column 2, lines 33-47 and Figures 3-8) as in claims 3, 22-24, 27 and 34-36. Concerning claims 8, 31 and 39, at least one continuous polymeric layer can be coated on the surface of the fibrous web (column 9, lines 30-35). Li does not explicitly disclose the fibrous web composite is a printing paper or board that can be calendered and printed, as in claims 21, 33, 37-38 and 40-43.

Lindemann teaches a composition comprising an impregnated coated fibrous web, such as paper or paperboard, where the composition can be calendered and printed and is impregnated with 5 to 40% of a polymer (column 1, lines 15-25, 51-52). Li and Lindemann are combinable because they are related to a similar technical field, which are coated fibrous web materials impregnated with polymer. Lindemann teaches fibrous web are known to be paper or paperboard and are conventionally calendered and printed, where calendering the composition improves the finish of the coated material (column 1, lines 45-50) and printing the coated material improves the marketability of the coated material. Regarding claims 21, 33 and 43, as indicated by Applicant's in the remarks section I, on page 6, fibrous paper is known to comprise pulp fibers.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lindemann (3,645,952) and Lindemann (3,716,504) both teach a composition comprising an impregnated coated fibrous web, such as paper or paperboard, where the composition can be calendered and printed and is impregnated with 5 to 40% of a polymer (column 1, lines 15-25, 51-52).

Response to Arguments

5. The rejection made under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is withdrawn due to Applicant amending claim 38 to depend on claim 18 instead of cancelled claim 4.

Applicant's arguments of the rejection made under 35 U.S.C. 103(a) as being unpatentable over Elves et al (U.S. 4,551,377) have been found persuasive and the rejection is withdrawn due to Elves not teaching a polymer material impregnated in the web.

Applicant's arguments of the rejection made under 35 U.S.C. 103(a) as being unpatentable over Elves et al (U.S. 4,551,377) in view of Tawara et al (U.S. 4,784,917) have been found persuasive and the rejection is withdrawn due to Elves not teaching a polymer material impregnated in the web.

Applicant's arguments of the rejection made under 35 U.S.C. 103(a) as being unpatentable over Caldwell (U.S. 5,209,965) are moot based on grounds of new rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is 571-272-1522. The examiner can normally be reached on Monday through Friday 9:00 AM – 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on 571-272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



L. Ferguson
Patent Examiner
AU 1794



MILTON I. CANO
SUPERVISORY PATENT EXAMINER